

REMARKS

Claims 6-28 are pending in the application upon entry of the amendments and new claims. Claims 1, 13, and 19 have been amended for consistency and to more particularly describe certain aspects of the invention. Claims 24-28 have been added to further describe the invention. Claims 1-5 have been cancelled in view of a Restriction Requirement. Favorable reconsideration in light of the amendments, the new claims, and the remarks which follow is respectfully requested.

Restriction Requirement

During a conversation between Examiner Duda and Applicants' representative Gregory Turocy on or about June 12, 2003, claims were subjected to the following restriction requirement:

Group I (process claims 1-5), and

Group II (device claims 6-23).

Affirmation of the provisional election to prosecute Group II (claims 1-15) with traverse is hereby made. New claims 24-28 fall within Group II.

The Amendments

The independent claims have been amended to recite that the measuring system measures at least one of volume of developer, concentration of developer and period of contact time between developer and selectively irradiated photoresist.

The Anticipation Rejection

Claims 6-10 and 13-23 have been rejected under 35 U.S.C. § 102(b) over Rangarajan et al (U.S. Patent 6,376,013). Rangarajan et al relates to system for dispensing a photoresist on a substrate. The photoresist is dissolved in a casting solvent, then it deposited on a wafer. As the casting solvent is removed, a uniform layer of a photoresist forms on the wafer.

To establish anticipation, each and every claim feature must be disclosed in a

single cited art document. Claims 6, 13, and 19 require a system for controlling development of a resist including a measuring system that measures at least one of volume of developer, concentration of developer and period of contact time between developer and selectively irradiated photoresist. This is important as a developer is contact with an irradiated resist to remove either the irradiated or unirradiated portions thereof to form a patterned resist. Rangarajan et al fails to disclose a measuring system that measures at least one of volume of developer, concentration of developer and period of contact time between developer and selectively irradiated photoresist, because Rangarajan et al is concerned with forming a photoresist layer, NOT developing it. Since Rangarajan et al does not disclose all of the claimed features of the independent claims, Rangarajan et al cannot anticipate claims 6-10 and 13-23.

The Obviousness Rejection

Claims 11 and 12 have been rejected under 35 U.S.C. § 103 over Rangarajan et al. 35 U.S.C. § 103(c) states "Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person."

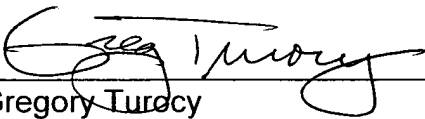
Rangarajan et al and the subject application were, at the time the present invention was made, owned by the same person and/or subject to an obligation of assignment to the same person subject (Advanced Micro Devices). See Reel 012246, Frame 0846. The filing date of the present application is October 10, 2001 (after implementation of the AIPA), while the issue date of Rangarajan et al is April 23, 2002; thus, Rangarajan et al falls under 35 U.S.C. § 102(e). Therefore, Rangarajan et al is not citable art against the present application in an obviousness rejection. Withdrawal of the above rejections is consequently respectfully requested.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

In the event any fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to our Deposit Account No. 50-1063.

Respectfully submitted,

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